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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 SENTINEL INSURANCE COMPANY, LTD.,
12 an Connecticut corporation,

Plaintiff,

vs.

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15 BERKELEY EXECUTIVES, INC.; THOMAS
16 SMITH; MARIAN LATASHA WILLIS, acting
as the duly appointed personal representative of
the Estate of Raeshon Williams (deceased),

Defendants.

Case No. 3:19-cv-06312-VC
Hon. Vince Chhabria
Courtroom 4

~~PROPOSED~~ **JUDGMENT GRANTING
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT AGAINST ALL
DEFENDANTS**

[Filed concurrently with Notice,
Memorandum of Points and Authorities,
Declaration of Shannon Santos, and Request
for Judicial Notice]

Hearing Date: November 5, 2020

Time: 10:00 a.m.

Courtroom: 4, 17th Floor

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21 The Motion for Default Judgment against All Defendants ("Motion") filed by Plaintiff
22 Sentinel Insurance Company, Ltd. ("Sentinel") came on regularly for hearing on November 5, 2020.
23 After consideration of the papers filed in connection with the Motion and the court record, in
24 accordance with the Federal Rule of Civil Procedure 55(b)(2), the Court finds as follows:

- 25 1. Sentinel has no duty to defend Defendants Berkeley Executives, Inc. ("Berkeley
26 Executives") or Thomas Smith ("Mr. Smith") (collectively the "Berkeley
27 Defendants") in the action entitled *Willis v. Zip, Inc. et al.*, Alameda County Superior
28 Court, Case No. RG17866531 ("Underlying Action") under Sentinel Policy No. 83

SBA NX0220 DV, issued to Berkeley Executives, effective January 5, 2016 to January 5, 2017 (“Policy”);

2. Sentinel has no duty to indemnify the Berkeley Defendants in the Underlying Action under the Policy;

3. Sentinel has the right to withdraw from the defense of Mr. Smith in the Underlying Action;

~~4. Sentinel has the right to seek reimbursement of the amount Sentinel paid to defend Mr. Smith in the Underlying Action; and~~

5. The coverage determinations made by this Court with respect to the rights and obligations under the Policy are binding upon Marian Latasha Willis, acting as the duly appointed representative of the Estate of Raeshon Williams (deceased) (“Ms. Willis”) should Ms. Willis prevail in the Underlying Action against the Berkeley Defendants.

Judgment is hereby entered in favor of Sentinel on its Complaint for Declaratory Relief [Doc. 1].

IT IS SO ORDERED.

DATED: November 12, 2020

Hon. Vince

